

**FLATHEAD COUNTY BOARD OF ADJUSTMENT
MINUTES OF THE MEETING
APRIL 2, 2013**

**CALL TO
ORDER**

A meeting of the Flathead County Board of Adjustment was called to order at approximately 6:00 p.m. Board members present were Gina Klempel, Mark Hash, and Charles Lapp. Cal Dyck and Scott Hollinger had excused absences. Erik Mack and Alex Hogle represented the Flathead County Planning & Zoning Office.

There were no people in the audience.

**APPROVAL OF
MINUTES**

Klempel motioned and Lapp seconded to approve the January 8, 2013 minutes. The motion passed unanimously.

Hash suggested postponing the election of officers to the next meeting which will be May 7, 2013.

**PUBLIC
COMMENT
(not related to
agenda items)**

None.

**GEORGE AND
PATTI
MCCORMICK
(FZV 13-01)**

A request by George and Patti McCormick, for a Zoning Variance to property within the Happy Valley Zoning District, zoned R-2 (One-Family Limited Residential). The applicants are requesting a variance to Section 3.10.040(6), Maximum Fence Height, of the Flathead County Zoning Regulations. The property is located at 376 Antelope Trail.

STAFF REPORT

Mack reviewed Staff Report FZV 13-01 for the Board.

**BOARD
QUESTIONS**

Klempel and staff discussed the height of the cement fence on the bypass of Highway 93 and what the purpose of the fence proposed in the application was. They also discussed alternatives to the fence.

Hash and Mack discussed the line of sight exhibit in the staff report and if the proposed fence would mitigate noise.

Lapp and Mack talked about the continued use of the approach on the property from Highway 93.

APPLICANT PRESENTATION	Applicant not present.
PUBLIC COMMENT	None.
BOARD DISCUSSION	The board and staff discussed options for shielding and noise control which would not require a variance, the options of the board concerning possible conditions on the variance, similar properties in proximity to the property, what constituted the front of the property and height standards pertaining to the front or back of the piece of property.
MAIN MOTION TO ADOPT F.O.F. AND DENY (FZV 13-01)	Klempel made a motion seconded by Lapp to adopt staff report FZV 13-01 as findings-of-fact and deny.
BOARD DISCUSSION	Lapp felt there were other options that could be done instead of a variance.
ROLL CALL TO ADOPT F.O.F. AND DENY (FZV 13-01)	On a roll call vote the motion passed unanimously.
GEORGE JOSEPH – FALCON DEVELOPMENT, INC (FCU 13-01)	A request by George Joseph on behalf of Falcon Development Inc., for a Conditional Use Permit to construct a multi-family dwelling in the Evergreen Zoning District, zoned RA-1 (Residential Apartment). The applicant is proposing an 8-unit apartment building on 22,960 square feet. The property is located at 215 Spruce Road.
STAFF REPORT	Mack reviewed FCU 13-01 for the board.
BOARD QUESTIONS	The board and staff discussed if this application had been before the board previously.
APPLICANT PRESENTATION	Applicant not present.
PUBLIC COMMENT	None.

**BOARD
DISCUSSION**

The board and staff discussed at length if a sidewalk on the property was necessary for safety issues.

**MAIN MOTION
TO ADOPT
F.O.F. AND
APPROVE
(FCU 13-01)**

Klempel made a motion seconded by Lapp to adopt staff report FCU 13-01 as findings-of-fact and approve.

**BOARD
DISCUSSION**

None.

**ROLL CALL TO
ADOPT F.O.F
AND APPROVE
(FCU 13-01)**

On a roll call vote the motion passed unanimously.

OLD BUSINESS

None.

NEW BUSINESS

None.

ADJOURNMENT

The meeting was adjourned at approximately 6:30 pm. on a motion by Lapp. The next meeting will be held at 6:00 p.m. on May 7, 2013.

Scott Hollinger, Chairman

Donna Valade, Recording Secretary

APPROVED AS **SUBMITTED**/CORRECTED: 5 / 7 / 13